## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

EUGENIO RAMIREZ, et al.,

Plaintiffs,

: 1:21-cv-792 (ALC)(SDA) -against-

: ORDER

1701 PIZZA LTD. et al., :

Defendants.

## ANDREW L. CARTER, JR., United States District Judge:

The Court is in receipt of the parties' letter motion for settlement approval filed on February 14, 2023 and revised on April 12, 2023. (ECF Nos. 43, 47.)

Having reviewed the revised settlement agreement as required by *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), the Court finds it to be fair and reasonable given the nature and scope of Plaintiffs' claims, as well as the risks and expenses involved in additional litigation. In reaching this conclusion, the Court has considered, *inter alia*, that (1) the settlement amount provides Plaintiffs with a recovery that is fair in light of the identified litigation risks and is within the possible range of recovery; (2) the attorney's fees portion of the settlement is reasonable; and (3) the agreement does not impose a duty of confidentiality. *See Fisher v. SD Prot. Inc.*, 948 F.3d 593, 600 (2d Cir. 2020); *see also Brittle v. Metamorphosis, LLC*, No. 20 CIV. 3880 (ER), 2021 WL 606244, at \*2 (S.D.N.Y. Jan. 22, 2021); *Wolinsky v. Scholastic, Inc.*, 900 F. Supp. 2d 332, 335–36 (S.D.N.Y. 2012).

Accordingly, it is **ORDERED** that the above-captioned case be dismissed with prejudice in its entirety without fees or costs except as agreed to by the parties. The Clerk of Court is respectfully requested to terminate the motion at ECF No. 47 and close this case.

## SO ORDERED.

April 20, 2023 **Dated**:

New York, New York

ANDREW L. CARTER, JR.

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